

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 H-02 INR-07 L-03 NSAE-00

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R 101605Z NOV 75

FM AMEMBASSY OSLO

TO SECSTATE WASHDC 0710

INFO AMEMBASSY COPENHAGEN

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY REYKJAVIK

AMEMBASSY STOCKHOLM

USMISSION NATO BRUSSELS

SECDEF WASHDC

C O N F I D E N T I A L OSLO 5006

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SUBJ: FOREIGN MINISTER OUTLINES GOVERNMENT'S CONCERNS AND
POLICY IN ARCTIC TO STORTING

REF: OSLO 5002

SUMMARY(BEGIN UNCLASSIFIED): DURING ADDRESS ON
FOREIGN POLICY TO STORTING NOV 7(SEE REFTEL) FOREIGN
MINISTER FRYDENLUND MADE SPECIAL EFFORT TO UNDERSCORE
NORWAY'S CONCERNS AND POLICY IN ARCTIC REGIONS.
LINKING DEVELOPMENTS IN NORTH TO DETENTE AND ARMS
REDUCTION,HE STRESSED THAT THESE DEVELOPMENTS WERE
KEY TO NORWAY'S NEIGHBORLY RELATIONS WITH USSR.
ON SVALBARD HE SAID THAT NORWAY'S SOVEREIGNTY OVER
SVALBARD IS "INCONTESTABLE" AND REITERATED NORWAY'S
VIEW THAT PROVISIONS OF SVALBARD TREATY DO NOT APPLY
TO CONTINENTAL SHELF. END SUMMARY.

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1. IN STARTING SPEECH FOREIGN MINISTER MADE DEVIATION FROM DISCUSSION OF MULTILATERAL AND GLOBAL ISSUES TO DRAW ATTENTION TO NORWAY'S NORTHERN REGIONS AND OUTLINE GOVERNMENT'S CONCERN AND POLICY THERE. DETENTE AND ARMS EXPANSION ISSUES, HE SAID, APPLIED TO NORTH, WHERE WEAPONS TECHNOLOGY CHANGES AND BUILD-UP OF SOVIET NAVY ACCENTUATED STRATEGIC IMPORTANCE OF NORTHERN SEAS AND ADJACENT COASTS. IT WAS IN NORWAY'S FUNDAMENTAL INTEREST TO HELP MAKE DEVELOPMENTS PEACEFUL AND HARMONIOUS AND TO AVOID INTERNATIONAL DISPUTES AND CONFLICT THERE. ANOTHER TASK WAS TO ENSURE THAT CSCE AND MBFR RESULTS ARE MADE TO APPLY IN NORTH WITHIN A MULTILATERAL FRAME-
WORK.

2. ADDED WEIGHT IS NOW ATTACHED TO NORTHERN DEVELOPMENTS, HE SAID, AND EMPHASIZED THE INCREASED IMPORTANCE NORWAY ATTACHES TO DEVELOPING AND MAINTAINING CORRECT AND NEIGHBORLY RELATIONS WITH USSR. ONE STEP TOWARD THIS WOULD BE WELL-DEFINED BOUNDARY ON CONTINENTAL SHELF IN BARENTS SEA IN NEGOTIATIONS DUE TO RESUME IN OSLO NOV 24. RECENT FISHERIES DISCUSSIONS WERE ALSO VALUABLE THEME.

3. TURNING TO SVALBARD, HE MENTIONED RECENT CELEBRATION OF 50TH ANNIVERSARY OF NORWAY'S ASSUMPTION OF SOVEREIGNTY, WHICH HE SAID IS "INCONTESTABLE". MENTIONING THAT STARTING WILL SOON CONDUCT BROAD DEBATE ON SVALBARD, HE SAID HE WISHED DISCUSS ONE POINT, AND REEMPHASIZED NORWAY'S POSITION ON SVALBARD CONTINENTAL SHELF ISSUE AS FOLLOWS:

BEGIN TEXT:

NORWEGIAN LEGISLATION ON CONTINENTAL SHELF IS FOUNDED ON EXPLOITATION CRITERION WITH ITS BASIS IN INTERNATIONAL LAW. ACCORDINGLY THE EXPLOITABLE PARTS OF THE CONTINENTAL SHELF COME IN UNDER THE COASTAL STATE'S JURISDICTION, WITHOUT ANY SPECIAL ACT OF OCCUPATION BEING REQUIRED, SO LONG AS IT IS CLEAR THAT THE QUESTION DOES NOT CONCERN THE VERY
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DEEPEST SEA-BED AREAS. THE CONTINENTAL SHELF WHICH EXTENDS NORTHWARDS FROM THE COAST OF TROMS AND FINNMARK UP TO AND BEYOND SVALBARD IS OF SUCH A NATURE-- MAXIMUM DEPTH ABOUT 500 METRES-- THAT IT IS CLEAR THAT THIS IS A CONTINUOUS SHELF AREA SUBJECT TO NATIONAL JURISDICTION. SINCE THE TREATY OF SVALBARD AND THE RELATED MINING CODE ESTABLISH PARTICULARLY FAVORABLE TERMS IN RESPECT OF MINING OPERATIONS OF SVALBARD

OF NATIONALS AND ENTERPRISES
OF THE STATES PARTIES TO THE TREATY, THE QUESTION
HAS BEEN RAISED WHETHER THE SAME FAVORABLE TERMS--
THAT IS TO SAY NON-DISCRIMINATORY TREATMENT AND LIMITED
POWERS OF TAXATION--SHOULD ALSO APPLY TO THE SHELF
AREAS NEAR SVALBARD. HOWEVER ACCORDING TO THE TREATY'S
OWN WORDING THESE TREATY PROVISIONS ARE ONLY AP-
PLICABLE TO SVALBARD'S LAND TERRITORY AND TO THE TER-
RITORIAL SEA WHERE NORWAY HAS PROCLAIMED A FOUR-MILE
LIMIT. THE SHELF AREAS SURROUNDING THE ARCHIPELAGO
ARE NOT SUBJECT TO ANY OF THE LIMITATIONS IMPOSED
BY THE TREATY, BUT COME IN UNDER NORWEGIAN SOVEREIGNTY.

IT WILL BE KNOWN THAT CERTAIN PARTIES TO THE TREATY
HAVE RESERVED THEMSELVES IN RESPECT OF THIS POINT OF
VIEW. WE IN NORWAY ARE OF
THE OPINION THAT THE LEGAL VIEW ON WHICH WE BASE OUR-
SELVES IN RESPECT OF THE SHELF AREAS NEAR SVALBARD,
SHOULD ALSO SERVE AS THE BEST BASIS FOR MEETING THE
NEED FOR CLARITY AND CALM IN THESE REGIONS. IF THE
SAME RULES WHICH ARE APPLICABLE TO SVALBARD ARE TO BE
APPLIED TO THE SHELF AREAS, THIS WOULD ONLY ENCOURAGE
A RACE FOR RESOURCES, ACCOMPANIED BY THE UNCERTAINTY
AND THE UNDESIRABLE EFFECTS THIS WOULD HAVE ALSO IN THE
FIELD OF SECURITY POLICY.

END TEXT. END UNCLASSIFIED. BEGIN CONFIDENTIAL.

3. COMMENT: IT IS NOTEWORTHY THAT FRYDENLUND CHOSE
IN SPEECH DEVOTED LARGELY TO GLOBAL ISSUES TO EXPAND
UPON THE NORTH. THIS IS HARDLY SURPRISING GIVEN THE
NUMBER OF DECISIONS FACING THE GOVERNMENT IN THIS AREA
IN THE COMING WEEKS. STORTING IS PREPARING DEBATE
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SVALBARD POLICY NEXT MONTH; SOVIET FISHERY
AND CONTINENTAL SHELF NEGOTIATIONS
ARE TAKING PLACE THIS MONTH; AND US AND OTHER ALLIES
ARE NOW FORMULATING THEIR POSITIONS ON SVALBARD AND
SHELF ISSUES. GOVERNMENT REALIZES IT HAS RESPONSIBILITY
TO PROTECT NORWAY'S INTERESTS AND HOPES STORTING
DEBATE WILL LEAD TO ADEQUATE STRENGTHENING OF
GOVERNMENT'S POSITION AND PROVISION OF ADMINISTRATIVE
MACHINERY TO IMPLEMENT THAT POSITION. GOVERNMENT ALSO
RECOGNIZES IT HAS TASK OF SEEKING TO AVOID TENSIONS IN
AREA WHICH IS OF KEY INTEREST TO USSR AND IMPORTANCE
TO NORWAY'S ALLIES. GOVERNMENT'S RECENT, FRE-
QUENTLY-REPEATED ASSERTIONS OF SOVEREIGNTY OVER SVALBARD
HAVE BROUGHT NO RESPONSE FROM MOSCOW. AS THEIR ALLIES
REVIEW SVALBARD CONTINENTAL SHELF ISSUE, NORWEGIANS

KNOW THE RESULT COULD PUT THEM ON OPPOSITE SIDES FROM
THEIR ALLIES OR THE USSR OR BOTH. SO FRYDENLUND'S
CONCERN ABOUT DEVELOPMENTS IN THIS AREA IS UNDERSTANDABLE.

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